

**Chattanooga City Council
March 19, 2002
6:00 P.M.**

Vice Chairman Littlefield called the meeting of the Chattanooga City Council to order in the absence of Chairman Hakeem. Councilmen Benson, Franklin, Lively, Page, Pierce, Robinson and Taylor were present. Chairman Hakeem was absent due to a prior commitment. City Attorney Randall Nelson, Management Analyst Randy Burns, and Shirley Crowover, Assistant Clerk to the Council, were also present.

**PLEDGE OF ALLEGIANCE/
INVOCATION**

Following the Pledge of Allegiance, Councilman Lively gave the invocation.

MINUTE APPROVAL

On motion of Councilman Lively, seconded by Councilman Franklin, the minutes of the previous meeting were approved as published and signed in open meeting.

CHATT. YOUTH COUNCIL

Kathryn Phillips of Soddy Daisy High was present to address the Council in regards to the Youth Council Teen Study Report. The survey was done by five students and twenty-one schools were represented. 4250 surveys were distributed and 2750 surveys were received back. The age range targeted was 13-19 years of age and included the 9th thru 12th grades.

Ms. Phillips noted that there were many differences between the public and private school answers as two different situations were involved. One of the positive aspects was the amount of teachers in the schools. Students appreciated access to so much technology and the rapid pace at which technology was being introduced in the schools. Performing Arts was also highly looked upon; appreciation was shown for the Sports program.

YOUTH COUNCIL (CONT'D)

Dedicated teachers who care and go the extra mile in preparing students for the real world and college were also a plus.

One of the main negative points that Ms. Phillips pointed out was the complaint of not enough personal freedom, mainly reflected in dress codes. Ms. Phillips indicated that she felt this was a positive thing yet some students felt it violated their personal freedom. Lack of diversity in schools was another negative point.

Students were asked what they liked least and most about their neighborhoods. Easy access to schools was a plus, as well as great recreation centers that give students something else to do with their time. Safety was also highly looked upon and students feel safe in their environment. Ms. Phillips mentioned that after the Columbine incident we were worried what could happen here but with the SRO officers in the schools this has been alleviated and these officers respond quickly.

Cultural diversity was a minus, as well as lack of community pride and unity. These were mainly concerns of inner-city schools. Lack of recreational special events was also mentioned in the inner-city schools.

Sending a message to local government was addressed and one of the top issues was budgeting more money to improve schools and education. Ms. Phillips stated that they realized there was no instant fix but urged councilmembers to keep this uppermost in their minds. Lower taxes was also mentioned, which would negate the first concern. The students would also like to see government leaders get more involved and to focus on teen related issues. Ms. Phillips noted that this had improved greatly with the Youth Council. The students also wanted to see the City become more teen-friendly, with Ms. Phillips adding that there is no place for teens to come from all parts of the city where they can belong together. She admitted that there was no great solution for this; that students needed a place to come together and be safe where there was not a set agenda but just a place to hang out so that students could get to know each other. Students also felt that Tennessee should adopt a lottery system. Ms. Phillips added that she knew this was not under the Council's control.

YOUTH COUNCIL (CONT'D)

The next topic discussed was the biggest problems facing teens today, which included drug and alcohol abuse, stress, teen pregnancy/premarital sex, peer pressure and social pressures, and drinking and driving. Stress was caused by trying to achieve academically—there is so much to do in one night. Ms. Phillips stated that the introduction of the block schedule had resulted in a drop in stress. Students are looking for better education on some of these matters such as mandatory classes so that they can see the full consequences of their actions.

Students were asked what citywide activities they would like to see for youth, and water sport activities ranked at the top. Teen Clubs and Teen Centers were also mentioned, as well as diverse cultural activities and more teen performers at Riverbend. A teen culture fest was also mentioned so that students could study students from other countries. Ms. Phillips mentioned that several teen performers are coming to Riverbend, and this is on the upscale. Outdoor activities for teens were also mentioned which would be mostly summer activities and would be just for teens without the “little guys”. More Christian Activities ranked highest among private schools. Ms. Phillips added that she did not know how to go about improving this.

The last topic was the best method for keeping teens informed, with television being the number one source, followed by radio and newspapers.

Ms. Phillips ended by saying that the Chattanooga Youth Council was looking forward to including the Council in the solution.

Vice Chairman Littlefield stated that he was very impressed with the number of questionnaires sent out and the number that they got back, which was an excellent return. He asked if there was a written report and tabulation. Ms. Phillips responded that she was under the impression that all of the Council had already received the report that she was holding in her hands and added that she would be glad to leave copies.

At the point Vice Chairman Littlefield mentioned that Chairman Hakeem was at a neighborhood meeting tonight having to do with Economic Development initiatives.

AMEND ZONING ORD.
COMM. TOWERS

Vice Chairman Littlefield stated that there would be a Resolution on next week's agenda lifting the moratorium when this Ordinance becomes effective.

On motion of Councilman Lively, seconded by Councilman Franklin,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTIONS 402(14), 404, 503(15), 509, 603(20), 604(8), 609, 703, 840(11), 812, 903(4), 910, 1002, 1004(7), 1011, 1012, 1021, 1022(8), 1026(2), 1603 AND 1605; AND BY AMENDING ARTICLE VIII, SECTIONS 107(17)(A)(4), 107(17)(B)(2), 107(17)(B)(3), 107(17)(C)(3), 107(17)(D)(1) AND 107(17)(F), RELATIVE TO THE LOCATION STANDARDS AND SITING REQUIREMENTS OF COMMUNICATION TOWERS IN COMMERCIAL AND INDUSTRIAL ZONING DISTRICTS

passed second reading. On motion of Councilman Franklin, seconded by Councilwoman Robinson, the Ordinance passed third and final reading and was signed in open meeting.

AMEND ZONING ORD.
STUDIO LOCATIONS

On motion of Councilman Taylor, seconded by Councilman Pierce,

AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS AMENDED, KNOWN AS THE ZONING ORDINANCE, BY AMENDING ARTICLE V, SECTIONS 401 AND 402(7), TO INCORPORATE NEW LANGUAGE RELATIVE TO THE LOCATION OF RADIO, TELEVISION AND MOTION PICTURE PRODUCTION STUDIOS

passed second reading. On motion of Councilman Lively, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2001-193 (Bill Ramsey)

On motion of Councilman Page, seconded by Councilman Taylor,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958,
AS AMENDED KNOWN AS THE ZONING ORDINANCE,
SO AS TO REZONE A TRACT OF LAND LOCATED AT
4709 BONNIE OAKS DRIVE, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE,
R-2 RESIDENTIAL ZONE AND M-1 MANUFACTURING
ZONE TO O-1 OFFICE ZONE AND FROM C-2
CONVENIENCE COMMERCIAL ZONE TO M-2 LIGHT
INDUSTRIAL ZONE, SUBJECT TO CERTAIN
CONDITIONS**

passed second reading. On motion of Councilman Taylor, seconded by Councilman Pierce, the Ordinance passed third and final reading and was signed in open meeting.

ROW NAME CHANGE

2002-013 (New Covenant Fellowship Church)

On motion of Councilman Franklin, seconded by Councilman Taylor,
**AN ORDINANCE TO CHANGE THE RIGHT-OF-WAY
NAME OF WILLOW BEND DRIVE TO FELLOWSHIP
DRIVE, SAID RIGHT-OF-WAY BEING MORE
PARTICULARLY DESCRIBED HEREIN**

passed second reading. On motion of Councilwoman Robinson, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2002-022 (Zaremba Group LLC)

On motion of Councilman Lively, seconded by Councilman Franklin,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE,
SO AS TO REZONE A TRACT OF LAND LOCATED AT
7510 SHALLOWFORD ROAD, MORE PARTICULARLY
DESCRIBED HEREIN, FROM R-1 RESIDENTIAL ZONE
TO R-3 RESIDENTIAL ZONE, SUBJECT TO CERTAIN
CONDITIONS**

passed second reading. On motion of Councilman Page, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2002-023 (George Wilcox)

On motion of Councilman Lively, seconded by Councilman Page,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE,
SO AS TO REZONE A TRACT OF LAND LOCATED AT
1000 RIVERFRONT PARKWAY, MORE PARTICULARLY
DESCRIBED HEREIN, FROM M-1 MANUFACTURING
ZONE TO O-1 OFFICE ZONE**

passed second reading. On motion of Councilman Franklin, seconded by Councilman Taylor, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2002-031 (Porter Yarbrough)

Mr. Pace stated that this passed first reading last week; that Mr. Yarbrough had made the request to reduce the size of the zoning request, along with two other conditions. He stated that after looking at the legal scope, the legal description was now incorrect on the copy that the Council had before them and this needed to be corrected.

REZONING (CONT'D.)

Mr. Pace went on to go over the two conditions, the first one being Item 6 dealing with ground floor openings (doors and windows) constituting a minimum of 50 percent of the ground floor façade area facing the primary street or a percentage as determined by the Design Studio. The second item was #14, stating that a ten-foot deep arcade must be provided along 80 percent of the 13th Street right-of-way if and when a new building is built along 13th Street between Cowart Street and Broad Street. Mr. Pace stated that he had talked to Mr. Yarbrough about these two conditions, and the only problem was now the legal description. Attorney Nelson indicated that he could correct the legal description in open meeting.

After a brief delay, Mr. Pace indicated that Mr. Yarbrough would like to address the Council in relation to Item #14, which dealt with an arcade or loggia along the 13th Street façade. An additional 10 ft. loggia is required when a new building is built to provide for some continuity.

Mr. Yarbrough stated that he did not have immediate plans to build a new building; that a loggia would be very expensive to hang on to a building; that this would be a very elaborate and costly thing to require of a developer. He explained that he gave 10 ft. of his property to the City at no charge and was not asking for additional property; that in negotiating a deed with a 10 ft. setback, he talked to Mr. Phillip Lynn and told him he did not agree with this, and he concurred and took this out; that it was a considerable amount of property. He stated that this part of the deed contradicted the gift he had made to the City of the extra 10 ft. Mr. Yarbrough went on to say that the City could afford to build arcades, but when a developer builds a building, he needs to generate income; that he did not want to spend \$500,000 for a loggia and also lose 10 ft. of his property. He mentioned that you had to build a minimum of two stories and stated that he really opposed the idea of an arcade.

Councilman Page asked Planning to say a word about the compromise and negotiation.

REZONING (CONT'D.)

Mr. Pace stated that they talked about the conditions and all were satisfied with the exception of this one condition; that Mr. Yarbrough felt that he had signed the deed for the 10 ft. and that the condition of the 10 ft. loggia or arcade should be removed. He explained that the Design Center is the review body and that they looked closely to them for their expertise; that they wanted to keep the continuity of a loggia or arcade and felt it was necessary to have this condition remain; that it was their intent to keep the view down 13th Street intact.

Councilman Taylor asked for a point of clarification—if everything with this particular design was a government entity; that we needed to look at the need; that cost is a major concern, but we also need to make sure that it ties in with the Plan. He mentioned the cost that would be involved if it had to run the length of the building. Mr. Pace verified that it would be required to run the length of the building, and he would only be losing the floor space of the first level. Councilman Taylor asked if the City had any program to help a developer if he was not able to financially do this and asked what would happen if he were not financially able. Mr. Pace responded that he guessed the building would just not be built; that they had to look at the zoning request and what is around the area.

Councilman Lively pointed out that Mr. Yarbrough had no definite plans and asked if it would not be logical to pass this with this restriction in place and when there are definite plans, Mr. Yarbrough could ask for this restriction to be removed; that this gave both the City and Mr. Yarbrough an option and nothing was in stone.

Mr. Yarbrough asked to be allowed to read his deed that he had negotiated with Mr. Phillip Lynn; that he had submitted a Site Plan and the 10 ft. had been taken out. He read the wording in the deed. He explained that in regards to Item 6, there is a warranty by the City of Chattanooga concerning any and all signatures necessary that the City will obtain the signatures and hold the property owner harmless. Mr. Yarbrough stated that he wrote the wording that was inserted in the deed. Vice-Chairman Littlefield verified that Mr. Yarbrough had made a deal with the Engineering Dept.

REZONING (CONT'D.)

Councilman Page stated that he felt it was going too far to make a developer be that restrictive, considering the cost and **stated that he would make the motion to approve this if we struck Condition #14; that this was going too far and was against the moral and just policy of the City. This was seconded by Councilman Taylor.**

Councilman Benson asked for Mr. Pace's response to this motion.

Mr. Pace stated that he had checked with the City Attorney and felt this was a valid condition; that we may be setting a precedent if property owners are allowed to negotiate with the City on donations of land; that it could be setting a precedent if we accept a donation of land in lieu of a certain condition. He stated that this was a legal question.

Councilman Benson stated that he felt the applicant was going round to the back door; that this action would negate and render Planning's recommendations "moot". He went on to say that a lot of commitment had been made in developing Downtown and that this really concerned him. He stated that he would like to see this deferred and worked out; that he could not support the motion on the floor.

Mr. Yarbrough took exception to Councilman Benson saying he was going round to the back door! He explained that the City came to him and wanted the property and that the City was to be responsible for obtaining signatures that were necessary and that he did not "go around to any back door"; that it was up to Mr. Lynn and the Engineering Department to bring this to the Council.

Councilman Benson still expressed his feeling that this Council should be committed to the Downtown Plan.

Mr. Yarbrough asked if everyone would be required to build loggias?

Vice Chairman Littlefield noted that a motion was on the floor to approve this with the exclusion of Item #14.

REZONING (CONT'D)

Councilman Taylor explained that his concern about Item #14 did not have anything to do with the deed; that his concern was whether the Plan was saying everything had to have this design. Mr. Pace responded that there was nothing in the Plan that said every building had to have this loggia; that along 13th Street they determined that the sight line should be continued. Councilman Taylor asked if he could still tie in with Plan without this façade. Mr. Pace responded in the affirmative. Councilman Taylor verified that this was not in the Plan and could still tie-in.

Attorney Nelson stated that he thought he understood the situation better now than when he talked to Mr. Pace; that he was not aware of the deed situation; that he would suggest deferring this a week to do some research. Vice Chairman Littlefield agreed as there was some confusion about this.

On motion of Councilman Pierce, seconded by Councilman Benson,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE,
SO AS TO REZONE A TRACT OF LAND LOCATED AT
1210 BROAD STREET, MORE PARTICULARLY
DESCRIBED HEREIN, FROM M-1 MANUFACTURING
ZONE TO C-3 CENTRAL BUSINESS ZONE, SUBJECT TO
CERTAIN CONDITIONS**
was deferred one week.

REZONING

2002-035 (CITY OF CHATTANOOGA)

On motion of Councilman Lively, seconded by Councilman Pierce,
**AN ORDINANCE TO AMEND ORDINANCE NO. 6958, AS
AMENDED, KNOWN AS THE ZONING ORDINANCE, SO
AS TO REZONE A TRACT OF LAND LOCATED AT 2815
MILITARY ROAD, MORE PARTICULARLY DESCRIBED
HEREIN, FROM TEMPORARY R-1 RESIDENTIAL ZONE
TO PERMANENT R-1 RESIDENTIAL ZONE**
passed second reading. On motion of Councilman Pierce, seconded by Councilman Franklin, the Ordinance passed third and final reading and was signed in open meeting.

REZONING

2002-036

Vice Chairman Littlefield noted that there was a question as to whether this was properly before the Council and whether the owners of the building desired this to go forward.

Councilman Benson stated that he had served 12 months on the Planning Commission and had become more and more convinced that speculative zoning has pitfalls; that since he voted on this for first reading last week, he had given a lot of thought to deferring this until we have a Site Plan before us in order to remove this from speculation. He agreed that this looked like a "no-brainer" and is downzoning and was probably justified but that he wanted to be consistent; that the petitioner needs to appear with a Site Plan or the Planning Staff confirm that this is in accordance with the land use.

On motion of Councilman Benson, seconded by Councilman Page,

**AN ORDINANCE TO AMEND ORDINANCE NO. 6958,
AS AMENDED, KNOWN AS THE ZONING ORDINANCE,
SO AS TO REZONE A TRACT OF LAND LOCATED IN
THE NORTHWEST CORNER OF MAIN STREET AND
MARKET STREET, MORE PARTICULARLY DESCRIBED
HEREIN, FROM M-1 MANUFACTURING ZONE TO C-3
CENTRAL BUSINESS ZONE, SUBJECT TO CERTAIN
CONDITIONS**

was deferred.

APPROP.COMMITT.
VAAP SITE

Councilman Franklin explained that this was an add-on to his Public Works Committee and was presented by Rob Taylor and is one part of a match of additional dollars and comes with a recommendation.

VAAP SITE (CONT'D)

On motion of Councilman Franklin, seconded by Councilman Lively,
A RESOLUTION INDICATING THE COMMITMENT OF THE CITY OF CHATTANOOGA TO APPROPRIATE THE SUM OF ONE MILLION THREE HUNDRED FIFTY-THREE THOUSAND SIX HUNDRED EIGHTY-SEVEN AND 50/100 DOLLARS (\$1,353,687.50) FOR THE PURPOSE OF MAKING A GRANT APPLICATION TO THE ECONOMIC DEVELOPMENT ADMINISTRATION FOR THE CONSTRUCTION OF INITIAL INFRASTRUCTURE IN THE VOLUNTEER ARMY AMMUNITION PLANT (VAAP) REGIONAL INDUSTRIAL SITE AND AUTHORIZING THE MAYOR TO EXECUTE ANY AND ALL DOCUMENTS NECESSARY FOR THE EXECUTION OF THIS RESOLUTION, CONTINGENT UPON CERTAIN CONDITIONS AS STATED HEREIN

was adopted.

AGREEMENT

On motion of Councilman Page, seconded by Councilman Taylor,
A RESOLUTION AUTHORIZING THE DIRECTOR OF THE CHATTANOOGA-HAMILTON COUNTY BICENTENNIAL LIBRARY TO EXECUTE AN AGREEMENT WITH DIVERSIFIED TILE & MARBLE, INC., RELATIVE TO REPLACEMENT OF SLATE TILE FLOORING, FOR A TOTAL FEE NOT TO EXCEED FORTY-TWO THOUSAND EIGHT HUNDRED EIGHT DOLLARS (\$42,808.00)

was adopted.

Councilman Pierce asked if the City would totally do this or would the County also join in. Adm. Boney explained that this was a previous appropriation and is split between the City and the County.

PROPERTY DESC.
CORRECTION

On motion of Councilman Benson, seconded by Councilman Lively,
**A RESOLUTION AMENDING RESOLUTION NO. 23327,
ADOPTED MARCH 12, 2002, AND CORRECTING THE
PROPERTY DESCRIPTION BY DECLARING THREE
TRACTS OF REAL PROPERTY LOCATED AT
HOLTZCLAW AVENUE AND WILSON STREET, MORE
PARTICULARLY DESCRIBED HEREIN, AS SURPLUS
AND AUTHORIZING THE SALE OF SAID PROPERTY**
was adopted.

OVERTIME

Overtime for the week ending March 15, 2002 totaled \$11,708.66.

PURCHASES

On motion of Councilman Taylor, seconded by Councilman Franklin,
the following purchases were approved for use by the Human Services
Department:

LITTLE TIKES (Lowest and best bid)
Requisition R0058233/B000063

One (1) Playground Structure for Head Start Division

\$13,758.57

BLUE BIRD OF TN, INC. (Lowest and best bid meeting specs.)
Requisition B0000665/R0058234

30 Passenger School Bus—Head Start Program (2)

\$73,866.00

PERSONNEL

The following personnel matter was reported for the Parks, Recreation, Arts & Culture Department:

PATRICK L. MURDOCK—Resignation of Building Maintenance Mechanic, effective 3/13/02.

PERSONNEL

The following personnel matters were reported for the Public Works Department:

MICHAEL J. SLATTON—Approval for disability for Electrical Instrument Technician, effective 3/12/02.

WILLIAM L. NATION—Employment as Crew Worker, Pay Grade 3/1, \$17,680.00 annually, effective 3/13/02.

THOMAS P. O'REAR—Lateral Transfer to Equipment Operator in Emergency Section, effective 3/20/02.

DEREK R. WATTS—Employment as Crew Worker, Pay Grade 3/1, \$17,680.00 annually, effective 3/13/02.

GARY F. BRIDGES—Retirement of Light Equipment Operator, effective 2/28/02.

WAYNE WILKERSON—Promotion to General Supervisor Senior, Pay Grade 16/9, \$44,726.00 annually, effective 3/22/02.

PURCHASES

On motion of Councilwoman Robinson, seconded by Councilman Franklin, the following purchases were approved for use by the Public Works Dept.:

CHATTANOOGA TRACTOR AND EQUIPMENT (Best bid meeting specs.)
Requisition No. R0060821/B0000589

\$19,900.00

PURCHASES (CONT'D.)

JONES PRINTING COMPANY (Only source purchase over \$10,000)

Warrant Voucher

Printing Services for Residential Refuse Collection Brochures

\$12,160.00

PERSONNEL

The following personnel item was reported for the Chattanooga Fire Dept.:

FREDDIE FRYAR—Family Medical Leave for Senior Secretary, effective 3/7/02 thru 5/30/02.

PURCHASE

On motion of Councilman Taylor, seconded by Councilman Franklin, the following purchase was approved for use by the Chattanooga Fire Dept.:

**MARSHALL MIZE FORD (Lowest and best bid meeting specs.):
Requisition No. R0058364/B0000668**

Two Pick-Up Trucks

\$23,186.00 each

HOTEL PERMITS

On motion of Councilman Lively, seconded by Councilman Franklin, the following Hotel Permits were approved:

COMFORT INN—3535 Cummings Highway

PERMITS (CONT'D.)

BEST WESTERN ROYAL INN—3644 Cummings Highway

HAMPTON INN—3641 Cummings Highway

KNIGHTS INN—3655 Cummings Highway

BAYMONT INN & SUITES—3540 Cummings Highway

ECONO LODGE—7421 BONNY Oaks Drive

PERSONNEL

The following personnel matters were reported for the Chattanooga Police Dept.:

INMAN MONTGOMERY—Death of School Patrol Officer, effective 3/11/02.

SHASTA LOUISE WILLIAMS & MELVIN DOUGLASS WOODS—Hire as School Patrol Officers, \$25.01 daily, effective 3/18/01.

SANTIAGO TOSCANI—Resignation, effective 3/12/02.

ANTONIA SATTERFIELD—Resignation of School Patrol Officer, effective 3/14/02.

TONY HUDSON—Promotion/transfer from Police Service Technician to Police Service Technician, Sr., Pay Grade 5/1, \$18,647.00 annually, effective 3/22/02.

JANNIE D. REEVES—Promotion/transfer from Personnel Assistant to Communications Officer, Pay Grade 11/7, \$33,421.00 annually, effective 3/22/02.

PROPERTY TAX REFUNDS

On motion of Councilman Pierce, seconded by Councilwoman Robinson, the City Finance Officer was authorized to make the following refunds on property taxes:

ALEXIAN VILLAGE OF TN—1998 Taxes, \$9,995.53; 1999, \$16,762.24; 2000, \$15,662.83; and 2001, \$16,878.57; totaling \$59,299.17.

CHATTANOOGA PUBLISHING CO.—2001 Taxes, \$12,415.05

STONE CONTAINER CORP.—2001 Taxes, \$4,018.23

FRATERNAL ORDER OF EAGLES #945—2001 Taxes, \$1,821.59

TOTAL TAX REFUNDS--\$77,554.04.

PERSONNEL

The following personnel matter was reported for the Finance Department:

LANA HARRIS—Reinstatement of Court Clerk, Sr., Pay Grade 7/5, \$25,090.00 annually, effective 3/28/02.

The following personnel matter was reported for the Personnel Dept.:

JANICE K. SUTTLES—Hire as P/T Clerk, \$8.7768 an hour, effective 3/15/02.

The following personnel matter was reported for Neighborhood Services:

CHARLES W. GASTON—Return from Medical Leave, effective 3/12/02.

COMMITTEES

Councilman Lively noted that the Safety Committee met earlier in the day and Chief Coppinger went over the proposed Plan for Fire Protection for the newly annexed Ooltewah District.

Vice Chairman Littlefield stated that the Legal and Legislative Committee also met earlier and went through Title 8 of the Charter. Next week the Committee will cover Title 9.

SISTER BEY

Sister Bey addressed the Council, prefacing her remarks with an uncertainty of whether she should say "Good Evening". She admonished the Council that she would not let them mess up the Charter that was to be put on the docket in August; that she had asked the Chief Justice if this was legal. She showed a picture of Al Gore and stated she would not let the Council mess with her peoples' lives. She mentioned that her people had lost homes; that she did not know who Mr. Powell was and also the people did not know who Mark Rudisil was. She stated that her mother grieved herself to death about the home that she built and lost. She again told the Council that she could get in touch with Mr. Gore and urged them to get this Charter straight; that she was tired of being treated like "you created us"; that the words liberty and justice for all was a fraud, ending by saying she did not know what "God" the Council worshiped.

ERNEST OLIVER

Mr. Ernest Oliver addressed the Council and stated that in 1990 he was a Lab Director with Mr. Foxworth, who is now a convicted felon and using the sewer system for free and dumping toxic waste. He stated that there was overwhelming evidence that he had provided to the Council, Mayor Roberts and Mayor Kinsey; that he had not had the opportunity to present this to Mayor Corker. He stated that Foxworth was going to be awarded a contract in excess of \$100,000 a year that would come before this Board in the future.

ERNEST OLIVER (CONT'D)

Mr. Oliver stated that the City should not be making a contract with a convicted felon who had been caught numerous times using the Sewer System for free. He mentioned oil going into the Chattanooga Creek and on into the river and Little Debbie being contaminated. Mr. Oliver stated that in 1993-94 he was teaching chemistry at Chattanooga State and was "let go"; that he was going to tell this story to the world and that the City needed to take an interest in what is going on; that this was damaging the image of Chattanooga world-wide. He ended by saying that there was a problem in the Public Works Department when Jack Marcellis and Bunky Wright were there.

Vice Chairman Littlefield stated that Mr. Oliver's comments were noted; that there was nothing before the Council to look at tonight.

Councilman Taylor stated that he did receive several calls in his area and wanted to know if Adm. McDonald could look into this about the complaints.

ADJOURNMENT

Vice Chairman Littlefield adjourned the meeting of the Chattanooga City Council until Tuesday, March 26, 2002 at 6:00 P.M.

CHAIRMAN

CLERK OF COUNCIL

**(A LIST OF NAMES OF PERSONS IN ATTENDANCE IS
FILED WITH MINUTE MATERIAL OF THIS DATE)**

